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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/001,643	12/31/1997	RUSS L. ALBERT	1431/USW0391	6919

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EXAMINER

HUYNH, CONG LAC T

ART UNIT PAPER NUMBER

2176

DATE MAILED: 10/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

AO

**Office Action Summary**

Application N .

09/001,643

Applicant(s)

ALBERT ET AL.

Examiner

Cong-Lac Huynh

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to communications: reconsideration filed on 7/23/02 to the application filed on 12/31/97.
2. Claims 1-12 are pending in the case. Claims 1 and 8 are independent claims.
3. The rejections of claims 1-4, 6-11 under 35 U.S.C. 103 (a) being unpatentable over Anand in view of Peters have been withdrawn in view of Applicant's argument.
4. The rejections of claims 5 and 12 under 35 U.S.C. 103 (a) being unpatentable over Anand in view of Peters and further in view of Melchione have been withdrawn in view of Applicant's argument.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103 (c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1-4, 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anand et al. (US Pat No. 5,710,900, 1/20/98) in view of Walker et al. (US Pat No. 6,064,987, 5/16/00, filed 10/7/97).

Regarding independent claim 1, Anand discloses:

- a host site connected to at least one user computer terminal via an on-line interconnection, said host site comprising a database for storing the sale information and inventory information, and a processor terminal connected to the on-line interconnection for receiving a user report request and sending reports created in response to the received requests and additional on-line user input (col 1, lines 5-7, 54-67; col 2, lines 1-4; col 2, lines 14-25, 31-34, 39-41; col 9, lines 16-32; col 6, lines 43-67; col 7, lines 1-13, figures 6, 10-11)
- a view manager arranged to generate a set of function commands which can be selectively launched by user input to graphically display a list of available views each of which contains a report relating to particular user information stored in a database, create a new view and report, and edit a view and report (col 2, lines 14-25, 31-34, 39-41, figures 6, 10-11)

Anand does not disclose relating data maintained independently from the host site and input by a user with the user's billing and inventory data for displayed as part of a requested report.

Waller discloses relating data maintained independently from the host site and input by a user with the user's billing and inventory data for displayed as part of a requested report (figure 11, user inputs the PIN number for authorizing transaction before selecting billing plan; figure 12, the statement as a report relates the PIN number to the customer name and account number, the input user for selecting payment, and the user's billing and inventory data as part of the report where the PIN is the data *maintained independently from the host site* - as seen in figures 3-4, the host site does *not include* the PIN database).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Walker into Anand for easily generating an on-line report containing user billing and inventory information and for increasing convenience for users to access to billing on-line.

Regarding claim 2, which is dependent on claim 1, Anand discloses that the view editor is arranged to receive and implement user report editing instructions (col 2, lines 39-41; col 9, lines 33-57).

Regarding claim 3, the system of Anand and Walker disclose a graphical user interface for the user to interact with the system (Anand, figures 6-10; col 2, lines 2-14; Walker, figure 11).

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Regarding claim 4, Anand discloses the aggregating method such as add, average, min, max, count to disclose the change in the Smart Report (col 17, lines 65-67; col 18, lines 1-50). Anand also discloses the drill down command (col 9, lines 16-32, col 10, lines 50-67).

Regarding claim 6, which is dependent on claim 1, the system of Anand discloses an Internet connection and web browser (col 2, lines 15-25, client and server system, col 4, lines 53-57, Reports in HTML format imply that the system is connected to the internet so that a web document can be sent over).

Regarding claim 7, which is dependent on claim 1, Anand discloses that the graphical interface comprises Java applets and an HTML page (col 9, lines 16-57).

Claims 8-11 are the method for generating an on-line report performed on the system of claims 1-4, therefore rejected under the same rationale.

8. Claims 5, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anand in view of Walker as applied to claims 1 and 8 above, and further in view of Melchione et al. (US Pat No. 5,930,764, 7/27/99).

Regarding claim 5, which is dependent on claim 1, Anand and Walker do not disclose that the report filter is arranged to receive user define value for use as threshold value

to selectively control which database information will be included in a report. Melchione discloses the three-tier-hierarchy provides the “key” at each of the household, customer, and customer levels that satisfy user criteria for queries, views, and reports (col 16, lines 45-64). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Melchione into Anand and Walker because Melchione provides the criteria as a threshold to select which data from the database to be included in the report.

Claim 12 is the method to be performed on the system of claim 5, and therefore rejected under the same rationale.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that Peter does not disclose “a data manager arranged to relate data maintained independently from the host site and input by a user with the user’s billing and inventory data for displayed as part of a requested report.”

Examiner agrees.

Waller discloses relating data maintained independently from the host site and input by a user with the user’s billing and inventory data for displayed as part of a requested report. In figure 11, user inputs the PIN number for authorizing transaction before

selecting a billing plan. In figure 12, the statement as a report *relates the PIN number to the customer name and account number*, the input user for selecting payment, and the user's billing and inventory data as part of the report where the PIN is the data *maintained independently from the host site* (as seen in figures 3-4, the host site does *not include* the PIN database).

### **Conclusion**

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Peters et al. (US Pat No. 5,696,906, 12/9/97, filed 3/9/95).

Touma et al. (US Pat No. 6,160,549, 12/12/00, filed 1/21/97).

Sprague, Automated Small Business Legal Counseling Systems, IEEE, 3/1990, pages 772-778.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is (703) 305-0432. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. The fax number to this Art Unit is (703) 308-9731.

12. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.



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Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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or faxed to:

(703) 746-7239, (for formal communications intended for entry)

or:


(703) 746-7240 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Sixth Floor (Receptionist).

clh

9/24/02

  
STEPHEN S. HONG  
PRIMARY EXAMINER